

Exhibit E

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

OLIVIA Y., et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, et al.

DEFENDANTS

DECLARATION OF SHIRIM NOTHENBERG

1. I, Shirim Nothenberg, am a member of the Bar of New York and admitted to practice in this Court *pro hac vice*. I am a staff attorney at Children's Rights and serve as co-counsel for the Plaintiff Class in this case, along with W. Wayne Drinkwater, of Bradley Arant Boult Cummings LLP; John Lang, Attorney at Law; John Piskora and Chris Carbone, of Loeb & Loeb, LLP; and other attorneys at Children's Rights. Together we have represented the Plaintiff Children in the above-captioned class action litigation since the filing of the Complaint in 2004.

2. Attached to this Declaration are true and correct copies of the following documents:

- a. Mississippi Child Welfare Practice Model Final Report ("Practice Model"), September 25, 2009, attached as Exhibit 1;
- b. Letter from Marcia Lowry, Executive Director, Children's Rights, to Rusty Fortenberry, Lead Counsel for Defendants, April 9, 2010, attached as Exhibit 2;
- c. The Center for the Support of Families, Mississippi Foster Care Services Assessments Final Report, dated October 13, 2009 ("CSF Assessment") attached as Exhibit 3;
- d. Letter from Don Thompson, Executive Director, MDHS, to service provider, dated November 2, 2009, attached as Exhibit 4;
- e. The Center for the Support of Families, Termination of Parental Rights Assessment Final Report, dated November 24, 2009 ("TPR Assessment"), attached as Exhibit 5;

- f. Mississippi Division of Family and Children's Services, Continuous Quality Improvement Plan, State Fiscal Year 2011, submitted August, 2, 2010 ("CQI Plan") attached as Exhibit 6;
- g. U.S. Department of Health and Human Services, Mississippi Child and Family Services Review Exit Conference Presentation, attached as Exhibit 7;
- h. Schedule for Revising Mississippi Child Welfare Policy Manual, June 10, 2010 ("Policy Manual Plan") attached as Exhibit 8.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of December, 2010.



Shirim Nothenberg

Sworn to before me this
23rd day of December, 2010



OLIVIA SOHMER
NOTARY PUBLIC-STATE OF NEW YORK
No. 02SO5022722
Qualified In Kings County
My Commission Expires April 27, 2014

Notary Public